

**CITY OF ROCHESTER
COUNCIL AGENDA**

**MEETING NO. 23
RECESSED**

**SEPTEMBER 29, 2003
ROOM 104 - 4:15 P.M.**

PLEDGE OF ALLEGIANCE

PAGE

- A) NONE: OPEN COMMENT PERIOD**
- B) CALL TO ORDER**
- C) LETTERS AND PETITIONS**
- D) CONSENT AGENDA/ORGANIZATIONAL BUSINESS**
 - 1-2 1) **APPROVED:** Award of Contract: "Reconstruct Sidewalk 1st
 - 3-4 Avenue S.W. from Peace Plaza to West Center Street" (J-4601)
 - 5-6 2) **APPROVED:** Assessment Agreement for Sidewalk Project –
 - J4601 reconstruct 1st Ave Sidewalk (Peace Plaza to West Center
 - Street)
 - 7-8 3) **APPROVED:** Award of Contract: "Harvest View Pond Structure
 - Improvements" (J-4016)
 - 9-10 4) **APPROVED:** Real Estate – Authorization to acquire land rights
 - for Sewer/Water main along Circle Drive SW
 - 11-12 5) **APPROVED:** Owner Contract – Basic Construction in
 - Stonehedge Estates Second Subdivision – J5090
 - 13-14 6) **APPROVED:** Stormwater Management Agreements
 - 15-16 7) **APPROVED:** Owner Contract – Basic Construction in Viola Hill
 - Subdivision – J5104
 - 17-18 8) **APPROVED:** Real Estate – Annexation of Lands in High Forest
 - Township
 - 19-20 9) **APPROVED:** Contribution Agreement for Sanitary Sewer
 - Relocation Construction TH 63 S
 - 21-22 10) **APPROVED:** Amendment 1 to City-State Agreement for Traffic
 - Signal Emergency Vehicle Preemption (EVP) J6396
- E) HEARINGS**
 - 23-36 1) **APPROVED:** Final Plat #03-01 by Bamber Valley Development
 - to be known as Bamber Valley Estates
- F) REPORTS AND RECOMMENDATIONS**

G) RESOLUTIONS AND ORDINANCES

H) TABLED ITEMS

I) OTHER BUSINESS

J) ADJOURNMENT

REQUEST FOR COUNCIL ACTION

MEETING

DATE: 9/29/03

AGENDA SECTION:

CONSENT AGENDA

ORIGINATING DEPT:

CITY ADMINISTRATOR

ITEM NO.

D-1-10

ITEM DESCRIPTION: APPROVAL OF CONSENT AGENDA ITEMS**PREPARED BY:**

G. NEUMANN

This RCA lists all the items which have been included in the consent agenda for this meeting. The Council can approve all of the items with a single motion to approve. The Council President will allow the Councilmembers an opportunity to state whether there are any of these items which you wish to have removed from the consent agenda approval and to have them discussed and acted upon separately by the Council.

The consent agenda for this meeting consists of the following RCAs:

- 1) Award of Contract: "Reconstruct Sidewalk 1st Avenue S.W. from Peace Plaza to West Center Street" (J-4601)
- 2) Assessment Agreement for Sidewalk Project – J4601 reconstruct 1st Ave Sidewalk (Peace Plaza to West Center Street)
- 3) Award of Contract: "Harvest View Pond Structure Improvements" (J-4016)
- 4) Real Estate – Authorization to acquire land rights for Sewer/Water main along Circle Drive SW
- 5) Owner Contract – Basic Construction in Stonehedge Estates Second Subdivision – J5090
- 6) Stormwater Management Agreements
- 7) Owner Contract – Basic Construction in Viola Hill Subdivision – J5104
- 8) Real Estate – Annexation of Lands in High Forest Township
- 9) Contribution Agreement for Sanitary Sewer Relocation Construction TH 63 S
- 10) Amendment 1 to City-State Agreement for Traffic Signal Emergency Vehicle Preemption (EVP) J6396

COUNCIL ACTION REQUESTED:

Motion to/ approve consent agenda items

COUNCIL ACTION: Motion by: _____ Second by: _____ to:

REQUEST FOR COUNCIL ACTION

MEETING

DATE: 09/29/03

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AGENDA SECTION: CONSENT AGENDA		ORIGINATING DEPT: PUBLIC WORKS	ITEM NO. D-1
ITEM DESCRIPTION:	Award of Contract: "Reconstruct Sidewalk 1st Avenue S.W. from Peace Plaza to West Center Street" (J-4601)		PREPARED BY: R. Kelm

Quotes were received and opened after 11:00 a.m., Thursday September 25, 2003 for the following local improvement project:

Project Name & Number

City Project No. M3-12 (J4601)

Reconstruct Sidewalk 1st Avenue S.W. from Peace Plaza to West Center Street

Project Background:

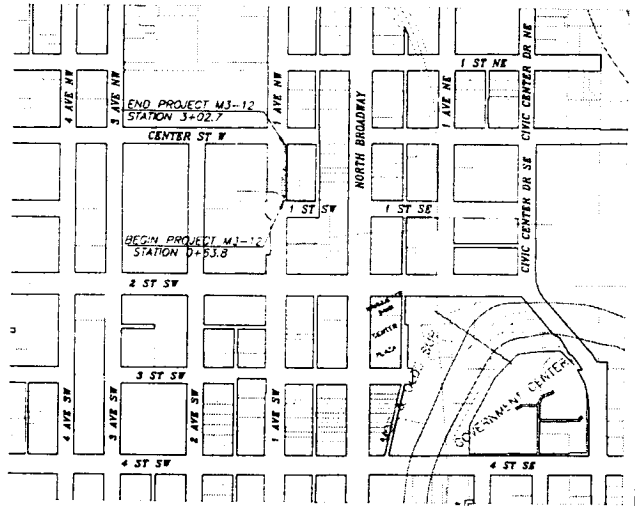
This project was requested by the abutting property owners. A project meeting was held on July 10, 2003 with both parties present. The owners agreed to the project and waived rights to an assessment hearing, by entering into sidewalk assessment agreements.

The agreements were written using the established 2003 rate for 5" Sidewalk Replacement (commercial) \$6.41/sq ft. x 2,209.55 sq ft = \$14,163.22. This project will be funded by assessment agreements of \$14,163.22, and the remaining balance by 8307 Sidewalk Replacement Account.

The project plan set estimated at less than \$50,000 was submitted for quotes to the following 3 Contractors.

The following quotes were received:

	Total Bid
Doyle Conner Co.	\$ 22,633.61
Clark Concrete, Inc.	\$ 25,249.30
Alvin Benike, Inc.	No Bid Rec'd
Engineers Estimate	\$ 30,055.00

**Project Action:**

The Public Works Department recommends the City Council proceed with an award to the low bidder.

COUNCIL ACTION REQUESTED:

Adopted a resolution awarding the contract, " Reconstruct Sidewalk 1st Avenue S.W. from Peace Plaza to West Center Street " (J-4601) to **Doyle Connor Co.**

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

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REQUEST FOR COUNCIL ACTION

MEETING

DATE: 9/29/03

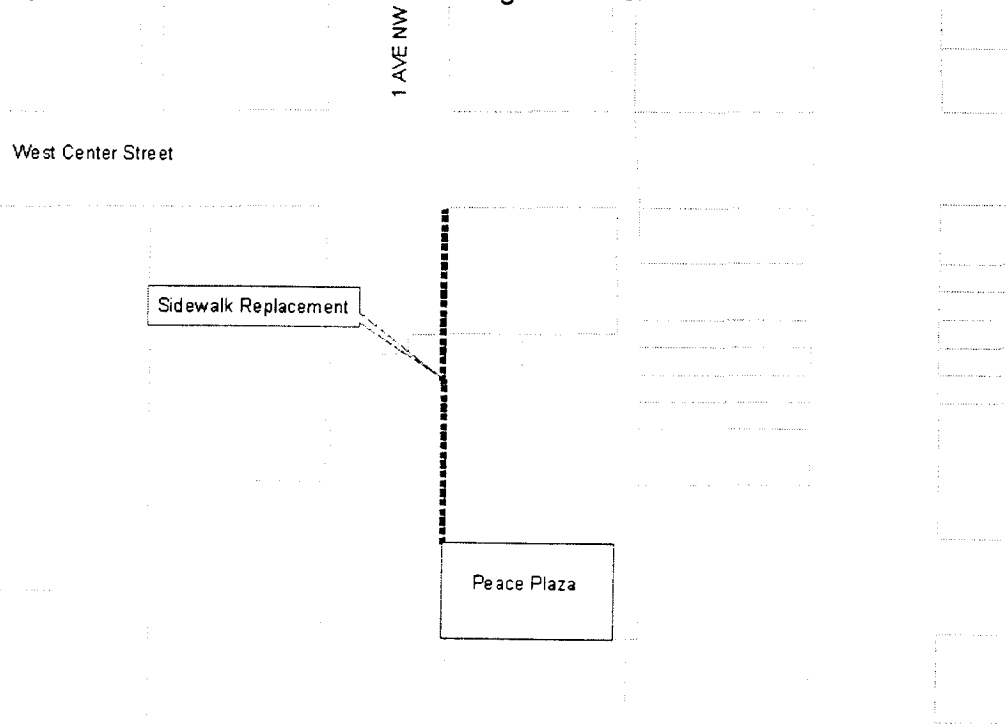
5

AGENDA SECTION: CONSENT AGENDA	ORIGINATING DEPT: Public Works	ITEM NO. D-2
ITEM DESCRIPTION: Assessment Agreement for Sidewalk Project – J4601 reconstruct 1 st Ave sidewalk (Peace Plaza to West Center Street)		PREPARED BY: M. Nigbur

The City has initiated a project to reconstruct the existing sidewalk along 1st Avenue from the Peace Plaza to West Center Street. The City and the two affected owners have discussed this project and concur the sidewalk is in need of replacement.

Based on the need to replace this sidewalk section the Owners have executed a assessment agreements for their proportional share of the project costs based on the City's standard rate for sidewalk replacement. The agreement allows the cost to be spread over a 5 year period at a rate of 5.5 percent.

Staff recommends the Council approve the Assessment Agreements for the Wells Fargo Property and the Michaels Property. The Owners have executed the Agreements.



COUNCIL ACTION REQUESTED:

Authorize the Mayor and City Clerk to execute the Agreement for the Wells Fargo Property and the Michaels Property for the project to reconstruct the existing sidewalk along 1st Avenue from the Peace Plaza to West Center Street.

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

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REQUEST FOR COUNCIL ACTION

MEETING

DATE: 09/29/03

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AGENDA SECTION: CONSENT AGENDA		ORIGINATING DEPT: PUBLIC WORKS	ITEM NO. D-3
ITEM DESCRIPTION:	Award of Contract: (J-4016) " Harvest View Pond Structure Improvements "		PREPARED BY: R. Kelm

Quotes were received and opened after 11:00 a.m., Thursday September 25, 2003 for the following local improvement project:

Project Name & Number

City Project No. M3-45 (J4016)

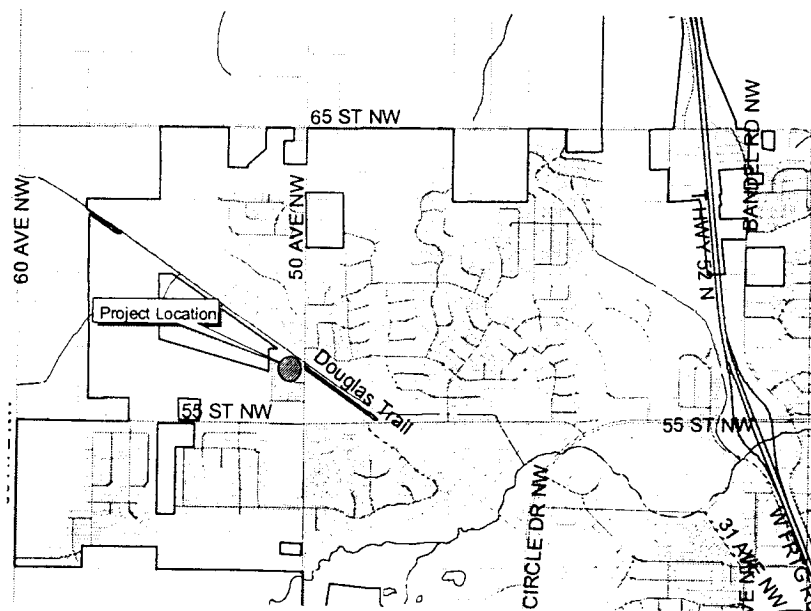
Harvest View Pond Structure Improvements

Project Background:

The project plan set estimated at less than \$50,000 was submitted for quotes to the following 3 Contractors.

The following quotes were received:

	Total Bid
Elcor Construction.....	\$ 43,359.00
American Plumbing Co.	\$ 48,700.00
Road Constructors, Inc.....	No Bid Received
Engineers Estimate	\$ 38,650.00

**Project Action:**

The Public Works Department recommends the City Council proceed with an award to the low bidder.

COUNCIL ACTION REQUESTED:

Adopted a resolution awarding the contract, (J4016) "Harvest View Pond Structure Improvements" to Elcor Construction Co.

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

REQUEST FOR COUNCIL ACTION

MEETING

DATE:

09/29/03

9

AGENDA SECTION:

CONSENT AGENDA

ORIGINATING DEPT:

Public Works

ITEM NO.

D-4

ITEM DESCRIPTION:

Real Estate – Authorization to acquire land rights for Sewer/Water main along Circle Drive SW.

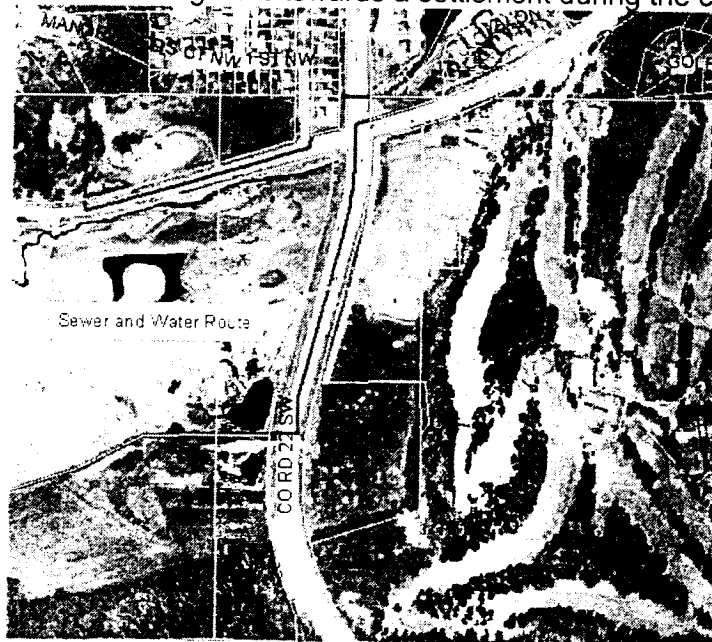
PREPARED BY:

M. Nigbur

The City Public Works staff has determined a need exists for the placement of utilities (sewer and water) along Circle Drive. This proposed sewer and water extension would serve several parcels including the proposed Fairway Ridge senior Housing development (on the East side of Circle Drive) and the Rodney Young Property (on the West Side of Circle Drive).

The utilities will be located along the West side of West Circle Drive. This project, including all right of way acquisition costs will be funded by developer contribution/payments.

Staff would request authorization to retain consultants for the real estate acquisition process. Staff also requests the authorization to negotiate and settle with the land owners for the needed land rights and that the City Administrator be authorized to approve necessary settlement values that may exceed the appraised value provided the impacted owners agree to pay the additional costs. If negotiations do not progress satisfactorily and timely, Staff would also request authorization, at the direction of the City Administrator, to begin the 90 Day Quick Take eminent domain process. This process may be needed to maintain the project schedule of completing the utility extension by May 2004. Staff will continue to negotiate towards a settlement during the condemnation process.

**COUNCIL ACTION REQUESTED:**

Adoption of a resolution authorizing the staff to retain consultants, negotiate/acquire the needed real estate at a value approved by the City Administrator and as agreed to by the affected property owner, and authorize the use of the 90 day "Quick Take" for land acquisition associated with the Sewer and Water line installation along Circle Drive SW.

COUNCIL ACTION: Motion by: _____ Second by: _____ to:

REQUEST FOR COUNCIL ACTION

MEETING

DATE: 9/29/03

AGENDA SECTION:

CONSENT AGENDA

ORIGINATING DEPT:

Public Works

ITEM NO.

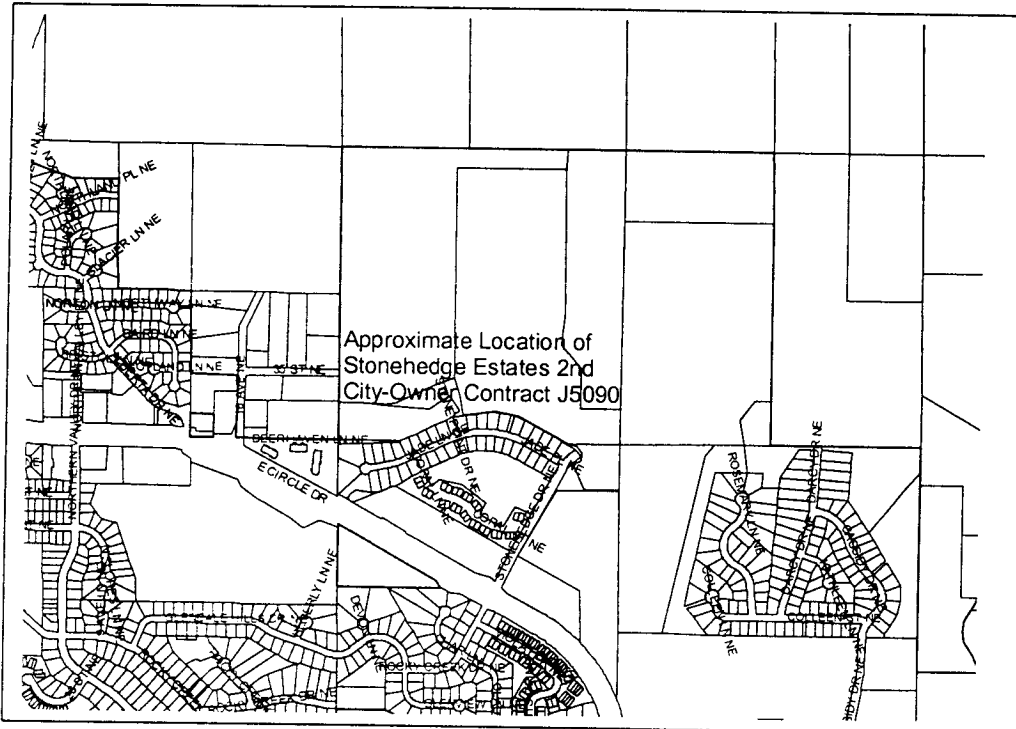
D-5

ITEM DESCRIPTION:Owner Contract – Basic Construction in Stonehedge Estates
Second Subdivision -J5090**PREPARED BY:**

M. Baker

Staff would offer the following Owner Contract project for consideration by the Council:

Stonehedge Development LLC (Owner) & Elcor Construction, Inc. (Contractor) are requesting a City / Owner Contract J5090, consisting of "Basic Construction in Stonehedge Estates Second Subdivision".

**COUNCIL ACTION REQUESTED:**

Adopt a Resolution authorizing the Mayor and City Clerk to execute the City / Owner Contract for J5090 "Basic Construction in Stonehedge Estates Second Subdivision".

COUNCIL ACTION: Motion by: _____ Second by: _____ to:

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REQUEST FOR COUNCIL ACTION

MEETING

DATE:

13
9/29/03**AGENDA SECTION:**

CONSENT AGENDA

ORIGINATING DEPT:

Public Works

ITEM NO.

D-6

ITEM DESCRIPTION: STORMWATER MANAGEMENT AGREEMENTS**PREPARED BY:**

M. Baker

The Department of Public Works has received a request for two (2) properties, to voluntarily participate in the City's Regional Storm Water Management Plan (SWMP). This department has reviewed the information for these properties and has determined that there is support for participation. The Owners have requested voluntary participation in the City's Plan, with the applicable participation fees as follows:

- Wondrow Properties Warehouse (SDP#03-49) \$ 1,769.63
(Lot 9, Block 1, Seehusen Industrial Park)
- Lesmeister Truck Center (SDP#03-58) \$ 3,867.25

The Owners have already provided payment for their respective charges. These funds will be deposited upon acceptance by the Council for the properties to participate in the City's Plan.

COUNCIL ACTION REQUESTED:

Adopt a Resolution accepting voluntary participation by the above noted properties, in the City's Regional Storm Water Management Plan (SWMP).

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

REQUEST FOR COUNCIL ACTION

MEETING

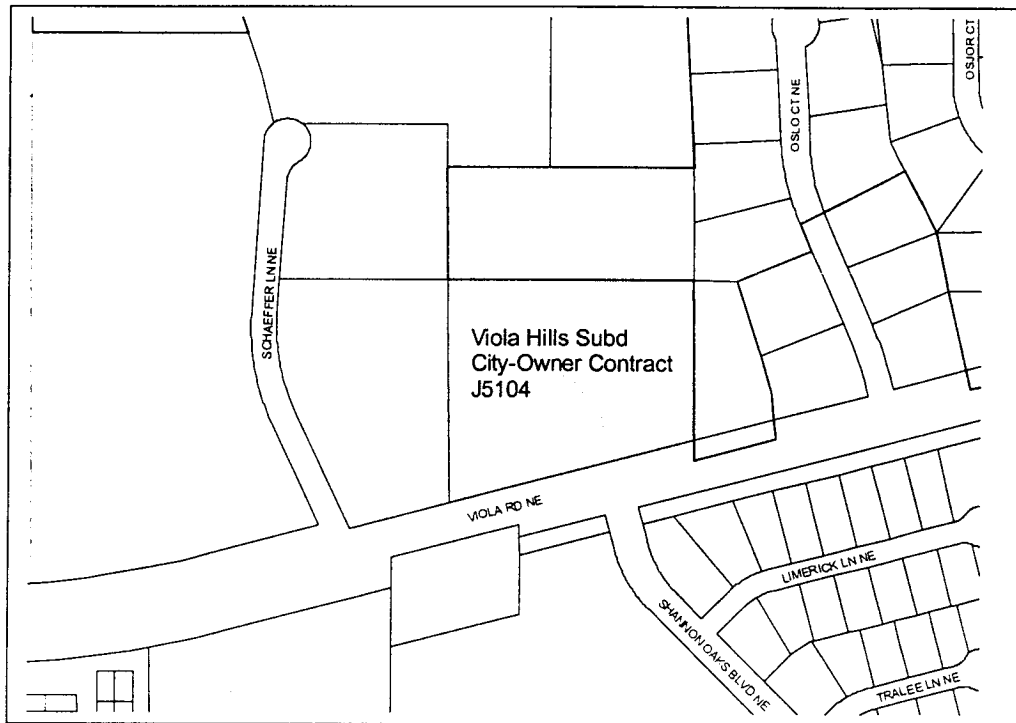
DATE: 9/29/03

15

AGENDA SECTION: CONSENT AGENDA	ORIGINATING DEPT: Public Works	ITEM NO. D-7
ITEM DESCRIPTION: Owner Contract – Basic Construction in Viola Hills Subdivision - J5104		PREPARED BY: M. Baker

Staff would offer the following Owner Contract project for consideration by the Council:

Todd Ustby (Owner) & Jech Excavating, Inc. (Contractor) are requesting a City / Owner Contract J5104, consisting of "Basic Construction in Viola Hills Subdivision".



COUNCIL ACTION REQUESTED:

Adopt a Resolution authorizing the Mayor and City Clerk to execute the City / Owner Contract for J5104 "Basic Construction in Viola Hills Subdivision".

COUNCIL ACTION: Motion by: _____ Second by: _____ to:

REQUEST FOR COUNCIL ACTION

MEETING

DATE:

09/29/03

AGENDA SECTION:
CONSENT AGENDA

ORIGINATING DEPT:
Public Works

ITEM NO.

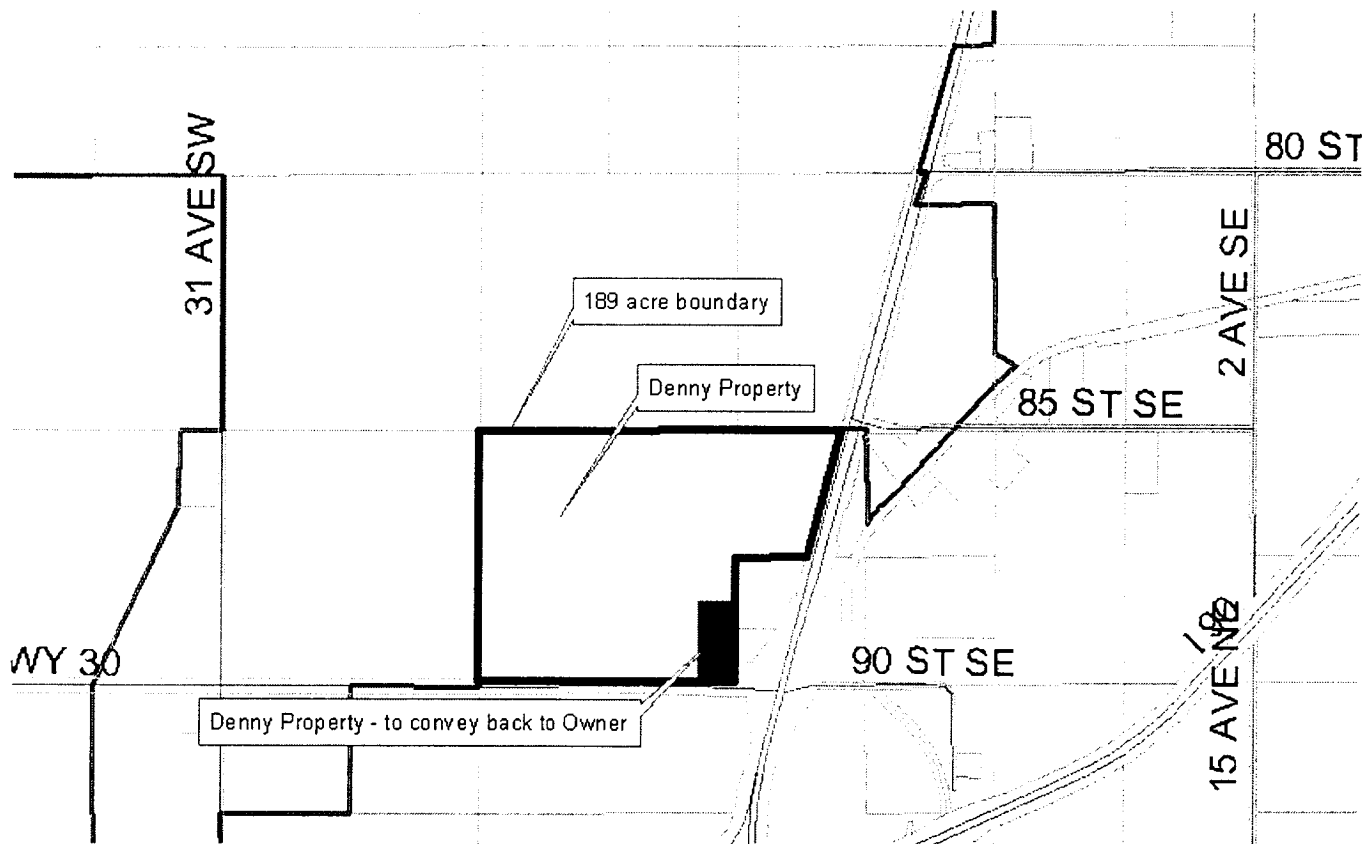
D-8

ITEM DESCRIPTION: Real Estate – Annexation of lands in High Forest Township

PREPARED BY:

M. Nigbur

The City staff has negotiated and acquired 184 acres of land abutting the Rochester International Airport. The City currently holds title to 189 acres (5 of which will be conveyed to the former owners pursuant to the purchase agreement) in this area and would request the Council to initiate annexation of the Denny Property consisting of two parcels.



COUNCIL ACTION REQUESTED:

Adoption of a resolution authorizing the annexation of the Denny Property consisting of two parcels.

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

REQUEST FOR COUNCIL ACTION

MEETING

DATE: 9/29/03

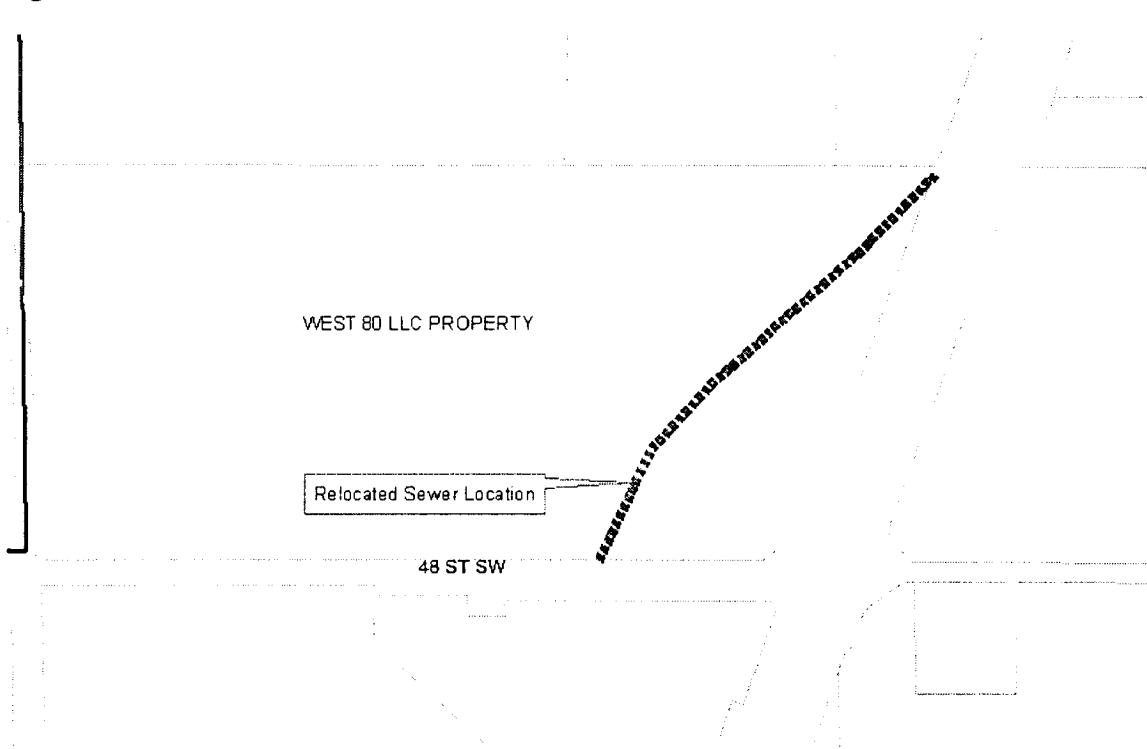
19

AGENDA SECTION: CONSENT AGENDA	ORIGINATING DEPT: Public Works	ITEM NO. D-9
ITEM DESCRIPTION: Contribution Agreement for Sanitary Sewer Relocation Construction TH 63 South.		PREPARED BY: M. Nigbur

The City and MnDot have previously executed an agreement for cost share items related to HWY 63 South improvements. Part of these improvements the City will be paying for includes the sanitary sewer relocation outside of the right of way surrounding the 48th Street interchange.

Concurrent with the design of the project the abutting owner has made the City aware of it's desire to add earthen material to the area where the sanitary sewer will be relocated. This change in elevation will require a stronger material and a slightly different design for the sewer to accommodate the additional fill material. The Owner has agreed to pay the cost differential resulting from the additional earthen fill over the sanitary sewer pipe.

Staff recommends the Council approve the Contribution Agreement. The Owners have executed the Agreement.



COUNCIL ACTION REQUESTED:

Authorize the Mayor and City Clerk to execute the Agreement obligating the West 80 LLC Property Owner to pay to the City the cost differential resulting from the additional earthen fill over the City's sanitary sewer pipe.

COUNCIL ACTION: Motion by: _____ Second by: _____ to:

REQUEST FOR COUNCIL ACTION

MEETING

21

DATE:

9-29-03

AGENDA SECTION:

CONSENT AGENDA

ORIGINATING DEPT:

Public Works

ITEM NO.

D-10

ITEM DESCRIPTION: Amendment 1 to City-State Agreement for Traffic Signal
Emergency Vehicle Preemption (EVP), J6396**PREPARED BY:**

D. Kramer DPK

Traffic signal Emergency Vehicle Preemption (EVP) is a means for emergency vehicles, such as police and fire, to obtain a green light as they approach traffic signals. A city project is currently installing EVP in all traffic signals in Rochester, with completion expected in late October.

In 2001 the city entered into Agreement No. 81997R with Mn/DOT regarding the cost, maintenance, and operation of EVP in Mn/DOT signals within the City of Rochester. The installation costs are split at each intersection according to the approach legs.

Amendment 1 to Agreement No. 81997R includes an update of costs based on actual bid prices, and adds five signals (mostly new signals to be constructed with ROC 52) to the agreement. The amendment decreases MnDOT's estimated costs from \$219,243.35 in the original agreement to \$168,560.00 in Amendment 1, and decreases the city's estimated costs from \$181,826.70 in the original agreement to \$112,443.37 in Amendment 1. The decrease is due to actual bid prices being less than originally estimated costs.

COUNCIL ACTION REQUESTED:

Authorize the Mayor and City Clerk to execute Amendment 1 to Agreement No. 81997R with the State of Minnesota regarding Emergency Vehicle Preemption (EVP), J6396.

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

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REQUEST FOR COUNCIL ACTION

MEETING
DATE: 9-29-03

23 /

AGENDA SECTION: PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO. E-1
ITEM DESCRIPTION: Final Plat #03-01 to be known as Bamber Valley Estates		PREPARED BY: Brent Svenby, Planner

September 25, 2003

Planning Department Review:

See attached staff report dated September 25, 2003 recommending approval subject to the following conditions:

- 1. Prior to submitting the Final Plat documents for recording the applicant shall satisfy all of the conditions of approval of the grading plan as stated in a letter dated September 12, 2003 from Michael Nigbur.*
- 2. A GIS Impact Fee and E911 Addressing Fee shall be assessed and must be paid prior to recording the final plat, per the September 19, 2003 memorandum from Rochester-Olmsted Planning Department – GIS Division.*
- 3. Dedication of parkland shall be met via: deferred land dedication, as recommended by the City Park & Recreation Department in the attached memo, dated January 22, 2003.*
- 4. Construction of a temporary turn-around and dedication of an applicable temporary easement, executed with the City prior to recording the final plat, is required at the northerly extent of Autumn Lake Court SW.*
- 5. No parking shall be allowed at anytime along either side of Autumn Lake Avenue SW and shall be posted "No Parking". In addition, Outlot "A" is indicated as 28 feet in width and shall be posted "No Parking" along one side of the roadway as well as one side of Autumn Lake Court SW shall be posted "No Parking".*
- 6. The final plat shall be revised to include a drainage easement along Lot 1, Block 3 and Lots 11, 12, 13 and 14, Block 1 as shown on the grading plan.*
- 7. Pedestrian Facilities (concrete sidewalk) shall be required along both sides of all new public roadways within this property, as well as, a 10 foot wide bituminous pedestrian path along the entire frontage of Salem Road SW, and a 10 foot wide bituminous pedestrian path mid-block connection within Outlot "E".*

Council Action Needed:

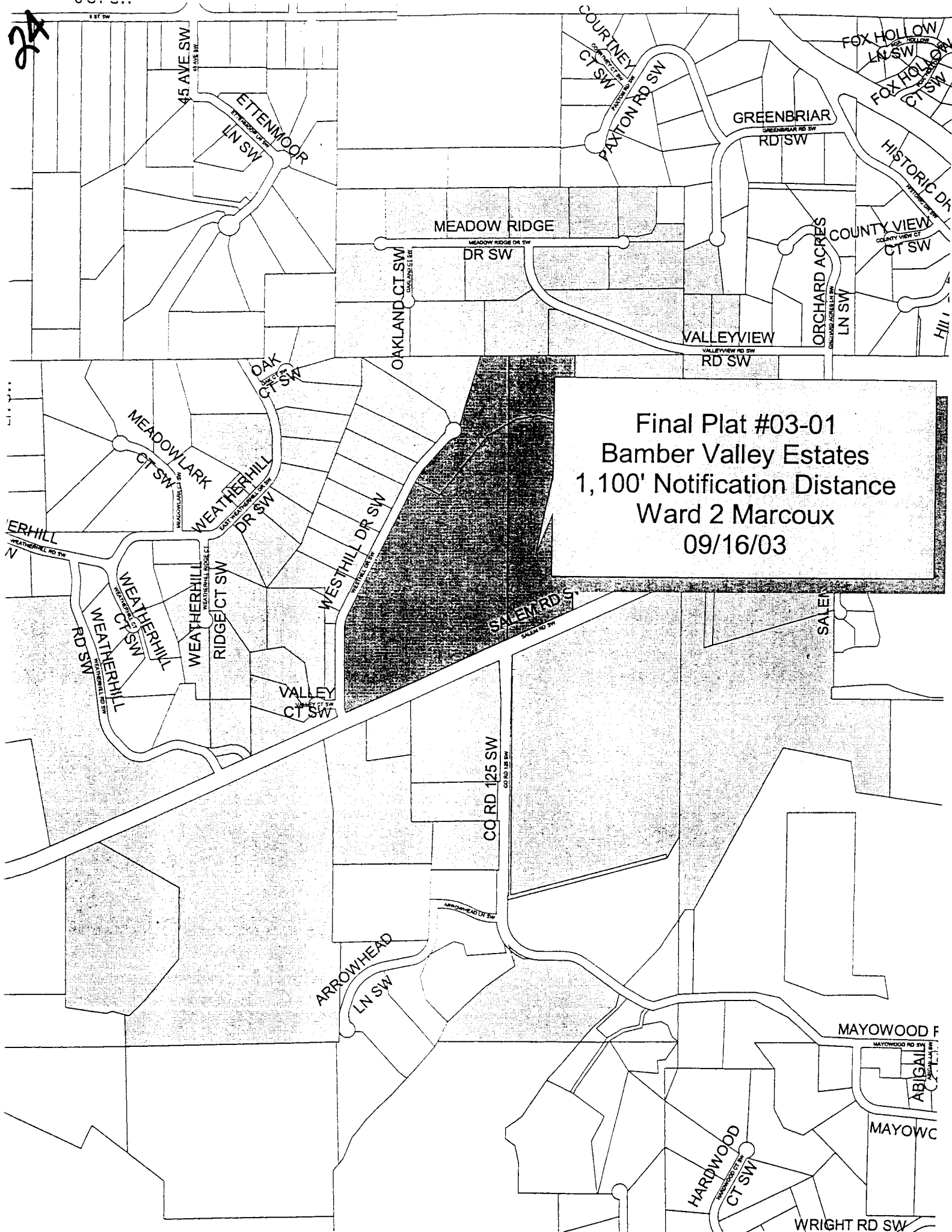
- 1. A resolution approving the plat can be adopted.*

Distribution:

1. City Administrator
2. City Attorney
3. Planning Department File
4. Applicant: This item will be considered sometime after 4:15 p.m. on Monday, September 29, 2003 in Room 104 at the Rochester / Olmsted County Government Center.
5. McGhie & Betts, Inc.

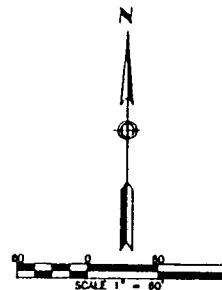
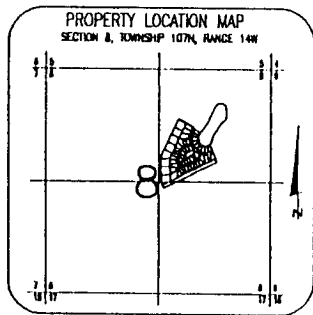
COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

24

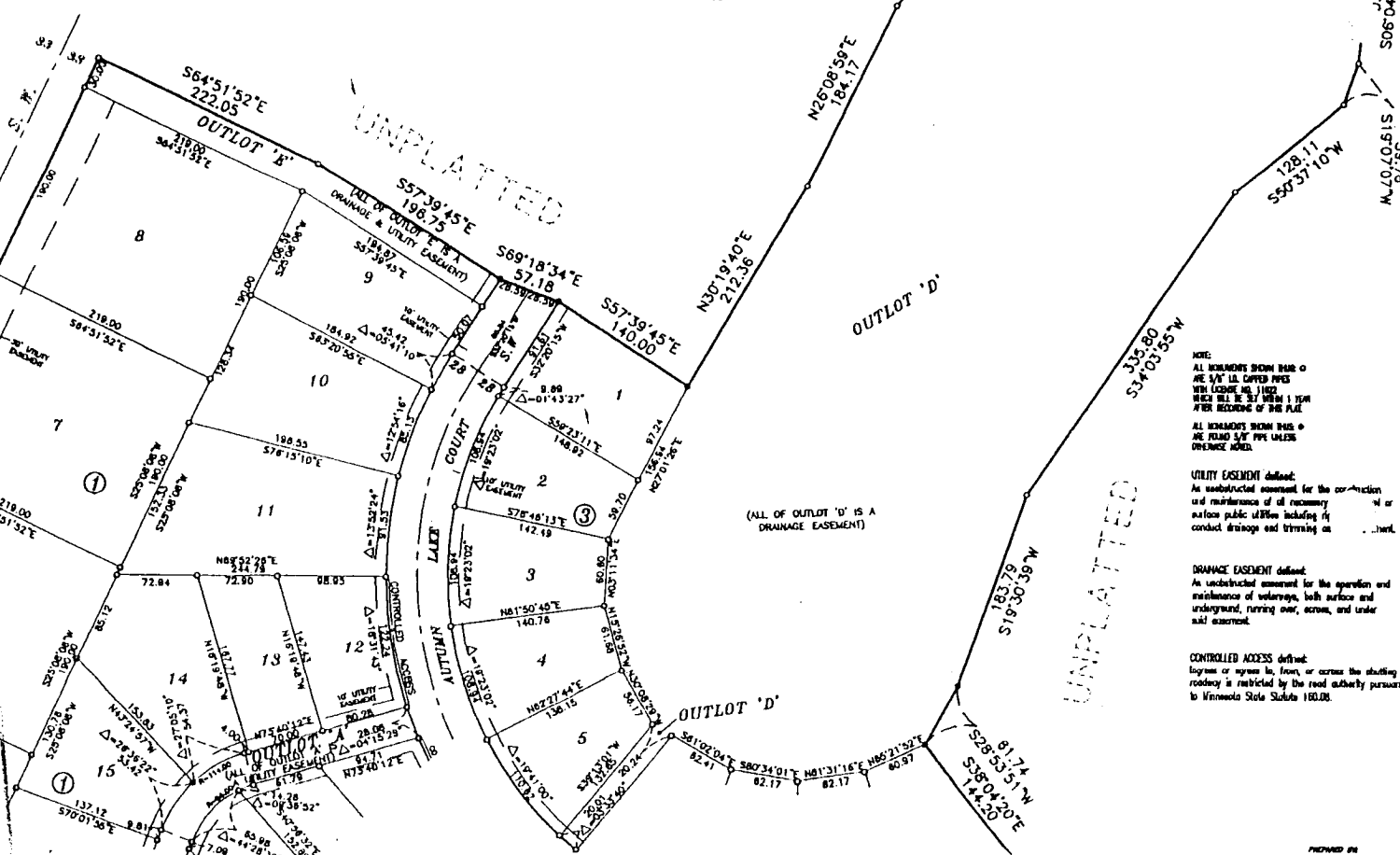


Final Plat #03-01
Bamber Valley Estates
1,100' Notification Distance
Ward 2 Marcoux
09/16/03

BAMBER VALLEY ESTATES



WEST VALLEY FARMS 2ND DRIVE
WEST HILL
N25°08'08"E
889.30
1800



NOTE:
ALL MONUMENTS SHOWN HEREON
ARE 5/8" I.D. COPPER PIPES
WITH LOCATOR NO. 111122
WHICH WILL BE SET WITHIN 1' FROM
CENTER RECORDING OF THIS PLAT

UTILITY EASEMENT defined:
An unobstructed easement for the collection
and maintenance of all necessary
and surface public utilities including its
conduct drainage and trimming as
shown.

DRAINAGE EASEMENT defined:
An unobstructed easement for the operation and
maintenance of waterways, both surface and
underground, running over, across, and under
said easement.

CONTROLLED ACCESS defined:
Access or ingress to, from, or across the subject
roadway is restricted by the road authority pursuant
to Minnesota State Statute 160.08.

(ALL OF OUTLOT 'D' IS A
DRAINAGE EASEMENT)

UNPLATTED

RECEIVED
SEP 12 2003
ROCHESTER DISTRICT
RECEIVED

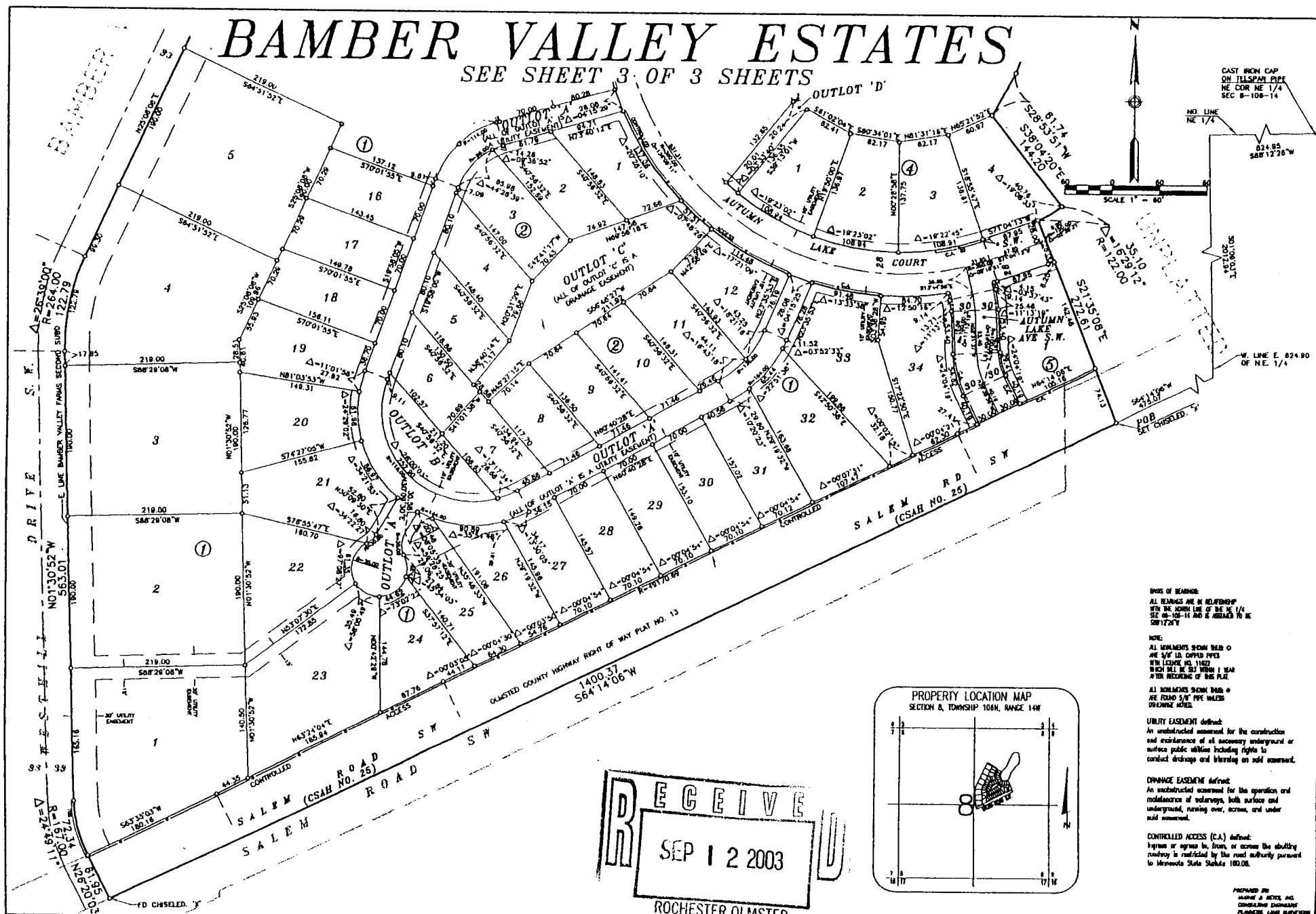
SEE SHEET 2 OF 3 SHEETS

BAMBER VALLEY ESTATES SHEET 3 OF 3 SHEETS

PREPARED BY
BROWN & METZ, INC.
CONSULTING ENGINEERS
PLANNING, LAND SURVEYING
ARCHITECTURE, LANDSCAPE

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DESIGN OF BEARINGS:
ALL BEARINGS ARE IN RELATIONSHIP
WITH THE NORTH LINE OF NE 1/4
SEC 8-106-14 AND IS ASSUMED TO BE
SOUTH 172° 25'

NOTE:
ALL MONUMENTS SHOWN THEREON
ARE 5/8" DIA. COPPER PIPES
WHICH WILL BE SET WITHIN 1 YEAR
AFTER RECORDING OF THIS PLAT.
ALL MONUMENTS SHOWN THEREON
ARE FOUND 5/8" PIPE UNLESS
OTHERWISE NOTED.

UTILITY EASEMENT defined:
An unobstructed easement for the construction
and maintenance of all necessary underground or
surface public utilities including rights to
conduct drainage and intersecting an said easement.

DRAINAGE EASEMENT defined:
An unobstructed easement for the operation and
maintenance of waterways, both surface and
underground, running over, across, and under
said easement.

CONTROLLED ACCESS (C.A.) defined:
Ingress or egress to, from, or across the abutting
roadway is restricted by the road authority pursuant
to Minnesota State Statute 180.08.

PREPARED BY:
JACQUE A. HOFF, INC.
CONSULTING ENGINEER
PLANNING, LAND SURVEYING
ARCHITECTURE, INTERIOR DESIGN



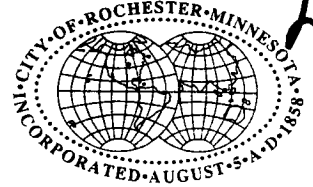
ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF

Olmsted

www.olmstedcounty.com/planning



TO: Rochester Common Council

FROM: Brent Svenby, Planner

DATE: September 25, 2003

RE: Final Plat #03-01 to be known as Bamber Valley Estates

Planning Department Review:

Applicant/Owner: Bamber Valley Estates, LLC
4410 NW 19th Street
Rochester, MN 55901

Surveyors/Engineers: McGhie & Betts
Attn. Kristi Clarke
1648 Third Avenue SE
Rochester, MN 55904

Referral Comments:

1. RPU Water Division
2. RPU Operations Division
3. MnDOT
4. Planning Department – Addressing
5. Planning Department - Wetlands
6. Rochester Public Works Department
7. Fire Department
8. Park and Recreation Department

Report Attachments:

1. Referral Comments (4 Letters)
2. Location Map
3. Copy of Final Plat

Plat Data:

Location of Property: The property is located north of Salem Road SW (CR 25) and east of Westhill Drive SW.

Zoning: The property is zoned R-1 (Mixed Single Family Residential) district on the City of Rochester Zoning Map.

Proposed Development: This development consists of 35 acres of land to be subdivided into 56 lots for single-family development and 5 Outlots.

Streets: This plat proposes to dedicate right-of-way for two new roadways.

The first roadway labeled as "Autumn Lake Court SW" is designed with a 56' right-of-way. Construction of a temporary turn-around and dedication of an

BUILDING CODE 507/285-8345 • GIS/ADDRESSING/MAPPING 507/285-8232 • HOUSING/HRA 507/285-8224

PLANNING/ZONING 507/285-8232 • WELL/SEPTIC 507/285-8345

FAX 507/287-2275

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER



applicable temporary easement is required at the northerly extent of this roadway.

The second roadway labeled as "Autumn Lake Avenue SW" is designed with a 60' right-of-way. No parking will be allowed at any time along either side of this roadway.

A third roadway labeled as "Outlot A" (to be named "Autumn Sage Court SW") will be designated as a private roadway and is designed with a 28.08 foot driving surface. Roadways less than 36 feet in width shall be posted "No Parking" along one side of the street.

Sidewalks:

Pedestrian Facilities (concrete sidewalk) will be required along both sides of all new public roads within this property, as well as, a 10 foot wide bituminous pedestrian path along the entire frontage of Salem Road SW and a 10 foot bituminous pedestrian path mid-block connection within Outlot "E".

Drainage:

The City Public Works Department has conditionally approved the grading and drainage plan for this plat. There are a number of conditions that must be met prior to the plat recording.

Wetlands:

The Soil Survey and National Wetland Indicator maps were reviewed for the presence of wetlands. Hydric soils existed on this site according to the Soil Survey. The owner is responsible for identifying wetlands on the property and submitting the information as part of this application. The owner received a No Loss Decision from the LGU on June 6, 2003.

Public Utilities:

The public infrastructure plans have been approved by the City for this development.

Spillover Parking:

As per Section 63.426 of the LDM, all residential development must provide spillover parking for service vehicles and visitors. This development requires 68 spillover parking stalls. It appears as though the additional parking can be accommodated on the roadways and most likely within private driveways, as well, for the single family homes.

Parkland Dedication:

The Park & Recreation Department recommends that dedication requirements be met via: deferred land dedication with dedication to occur with the future dedication of the 3.0 acre park shown on the revised Bamber Valley General Development. Dedication of land to occur when the park site is accessed via public street or when the City wishes to begin development of the park.

General Development Plan:

This property is included within the approved Bamber Valley Estates General Development Plan.

Preliminary Plat:

The Council approved a preliminary plat for this area on March 3, 2003. The approval of the preliminary plat was subject to eleven (11) conditions: The conditions are listed below:

1. The Plat shall be revised:
 - a. Providing an additional utility easement along Lots 1-8, Block 1, maintaining a 10' clearance of the water main on the house side.
 - b. Identify Outlot A as a utility easement.
 - c. Showing an access easement for the maintenance of Outlots "C" and "D".
 - d. Changing the text within Outlot "E" to read "(All of Outlot "E" is a drainage and utility easement)."
 - e. Providing controlled access along the entire frontage of Salem Road SW, with the exception of the public road access for Autumn Lake Avenue SW, along the entire west line of Lot 1, Block 5, the entire east line of Lot 34, Block 1, along the Autumn Lake Court SW right-of-way, along the easterly 35 feet of the Lot 3, Block 4 frontage, the westerly 35 feet of the Lot 4, Block 4 frontage, the Autumn Lake Court SW frontage of Lot 12 & Lot 33 in Block 1, Lots 1 & 12 & Outlot "C" in Block 2 and the southerly 100 feet of the Lot 1, Block 1 frontage on West Hill Drive SW.
2. Dedication of parkland shall be met via: deferred land dedication, as recommended by the City Park & Recreation Department in the attached memo, dated January 22, 2003.
3. In order to provide adequate fire protection, an 8" watermain loop is required through Outlot "E", connecting to the ends of both Westhill Drive SW and Autumn Lake Court SW. Additional fire hydrants and system valves are required meeting the water system layout as required by Rochester Public Utilities – Water Division.
4. The applicant shall identify wetlands on the property and submit information to the Planning Department, Wetlands LGU representative, for review.
5. Pedestrian Facilities (concrete sidewalk) shall be required along both sides of all new public roadways within this property, as well as, a 10 foot wide bituminous pedestrian path along the entire frontage of Salem Road SW, and a 10 foot wide bituminous pedestrian path mid-block connection within Outlot "E".
6. The applicant shall provide On-site Storm Water Management for this development. A Storm Water Management fee shall apply to any areas of the property that do not drain to an approved privately constructed on-site detention facility. Outlots "C" and "D" shall remain in private ownership and execution of an Ownership & Maintenance Declaration Agreement shall be required, for Outlots "C" and "D", as well as, dedication of access & drainage easement for private detention facilities.
7. An Ownership & Maintenance Declaration Agreement shall be required for Outlots "A" and "B" prior to Final Plat approval.
8. No parking shall be allowed at any time along either side of Autumn Lake Avenue SW and shall be posted "No Parking. In addition, Outlot "A" is indicated as less than 28 feet in width and shall be posted "No Parking" along one side.
9. Construction and dedication of a temporary turn-around easement at the northerly extent of Autumn Lake Court SW shall be required with the dedication of a temporary turn-around easement being executed with the City prior to recording the final plat.
10. Prior to Final Plat submittal, the applicant shall enter into a development agreement with the City that outlines the obligations of the applicant relating to, but not limited to; stormwater management, park dedication, traffic improvements, pedestrian facilities, right-of-way dedication, dedication of controlled access, utility extension and provisions of easements outside the plat boundary for the Sanitary Sewer & Watermain under City Project J7717, phasing of development, Owner & Maintenance Declaration Agreement for Outlots "A" and "B" and contributions for public infrastructure.



11. This preliminary plat labels Outlot "E" as a "Drainage & Utility Easement". It is Public Works understanding that drainage within this Outlot will be via storm sewer for up to a 10 storm event, and that surface drainage within the Outlot would occur during larger storm events. Drainage easements within a mid-block Outlot are not typical, but it may be acceptable in this case based on the proposed design. A final determination regarding the combined use within the Outlot will be made through the plan review process.

Final Plat:

Planning Staff Recommendation:

The Planning Staff has reviewed the submitted final plat and would recommend approval subject to the following conditions:

1. *Prior to submitting the Final Plat documents for recording the applicant shall satisfy all of the conditions of approval of the grading plan as stated in a letter dated September 12, 2003 from Michael Nigbur.*
2. *A GIS Impact Fee and E911 Addressing Fee shall be assessed and must be paid prior to recording the final plat, per the September 19, 2003 memorandum from Rochester-Olmsted Planning Department – GIS Division.*
3. *Dedication of parkland shall be met via: deferred land dedication, as recommended by the City Park & Recreation Department in the attached memo, dated January 22, 2003.*
4. *Construction of a temporary turn-around and dedication of an applicable temporary easement, executed with the City prior to recording the final plat, is required at the northerly extent of Autumn Lake Court SW.*
5. *No parking shall be allowed at anytime along either side of Autumn Lake Avenue SW and shall be posted "No Parking". In addition, Outlot "A" is indicated as 28 feet in width and shall be posted "No Parking" along one side of the roadway as well as one side of Autumn Lake Court SW shall be posted "No Parking".*
6. *The final plat shall be revised to include a drainage easement along Lot 1, Block 3 and Lots 11, 12, 13 and 14, Block 1 as shown on the grading plan.*
7. *Pedestrian Facilities (concrete sidewalk) shall be required along both sides of all new public roadways within this property, as well as, a 10 foot wide bituminous pedestrian path along the entire frontage of Salem Road SW, and a 10 foot wide bituminous pedestrian path mid-block connection within Outlot "E".*

ROCHESTER

— Minnesota —

TO: Consolidated Planning Department
2122 Campus Drive SE
Rochester, MN 55904

31
DEPARTMENT OF PUBLIC
WORKS
201 4th Street SE Room 108
Rochester, MN 55904-3740
507-287-7800
FAX – 507-281-6216

FROM: Mark E. Baker

DATE: 9/18/03

The Department of Public Works has reviewed the application for Final Plat #03-01, for Bamber Valley Estates (part of GDP#196). The following are Public Works comments on this request:

1. A Development Agreement has been executed for this Property.
2. A City-Owner Contract has been executed for this Property and addresses the Owner's required contributions for J7717.
3. Construction of a temporary turn-around, and dedication of an applicable temporary easement is required at the northerly extent of Autumn Lake Court SW.
4. Parking is not allowed at any time along either side Autumn Lake Ave SW.
5. There are two drainage easements indicated on the Grading Plan along Lot 1, block 3, and Lots 11, 12, 13, & 14, Block 1, that are not shown on the Final Plat. The Final Plat should be revised to include the easements required by the Grading Plan.

Development charges applicable for the development of the property have been addressed in the Development Agreement & City-Owner Contract for the Property and include (rates are valid through 7/31/04, and subject to annual review and change):

- ❖ Sanitary Sewer Availability Charge (SAC) @ \$1851.12 per developable acre
- ❖ Water Availability Charge (WAC) @ \$1,851.12 per developable acre.
- ❖ Contribution for J7717 Sanitary Sewer & Watermain extension, estimated at \$74,520.00 based on the project feasibility report
- ❖ Contribution for J7717 Storm Water Infrastructure Improvements estimated at \$10,891.00
- ❖ Storm Water Management – TBD, for any areas that do not drain to an approved privately constructed on-site detention facility, plus a downstream conveyance charge for improvements previously completed by the City to serve this development.
- ❖ First Seal Coat @ \$0.51 per square yard of public street surface
- ❖ Traffic Signs as determined by the City Engineer.

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ROCHESTER

— Minnesota —

TO: Consolidated Planning Department
2122 Campus Drive SE
Rochester, MN 55904

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201 4th Street SE Room 108
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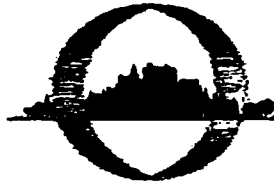
FROM: Michael J. Nigbur
Land Development Mgr.

RE: Conditioned Approval of Bamber Valley Estates Grading Plan.

Date: 9/12/03

The Department of Public Works has reviewed the grading plan for Bamber Valley Estates. Based on our review the plan has received a conditioned approval for advancement of the grading plan to allow final plat submittal. However, the conditioned approval does have the following conditions that must be met prior to plat recording:

1. Owner shall secure appropriate off site easements for the stormwater flows leaving the site.
2. Owner shall secure a Permit from Olmsted County for grading activities in the Salem Road Right of Way (CSAH 25)
3. Owner shall execute an amended Declaration and Maintenance Agreement for the specific acknowledgement that the private storm water facilities will be maintained and owned by the affected lots within the development in perpetuity.
4. Owner shall provide Public Works a modified grading plan that provides re-contouring of the 50.00 feet portion of the residential lots abutting the private "lake"(Outlot D) to appropriately allow access for maintenance equipment & activities.
5. Owner shall provide Public Works a corrected grading plan that incorporates the remaining technical corrections resolved and agreed to at a meeting held 9/12/03 with the Owner's consultant and Public Works Staff.



COUNTY OF
Olmsted



Rochester-Olmsted Planning Department
GIS/Addressing Division
2122 Campus Drive SE
Rochester, MN 55904-4744
Phone: (507) 285-8232
Fax: (507) 287-2275

PLAT REFERRAL RESPONSE

DATE: September 19, 2003

TO: Jennifer Garness

FROM: Randy Growden
GIS/Addressing Staff
Rochester-Olmsted County
Planning Department

CC: Pam Hameister, Wendy Von Wald;

**RE: BAMBER VALLEY ESTATES
FINAL PLAT #03-01**

UPON REVIEW OF THIS PLAT THE FOLLOWING FEES ARE REQUIRED TO BE PAID BEFORE THE PLAT IS RECORDED. THIS APPLIES TO ALL PLATS RECORDED ON OR AFTER JUNE 1, 2003.

E911 ADDRESSING FEE: \$1120.00 (56 LOTS/ADDRESSES)

GIS IMPACT FEE: \$505.00 (61 LOTS/OUTLOTS)

Notes: 1. Additional E911 Addressing fees may be required upon Site Plan review.
2. Final Plats must be legally recorded before request for address Applications are submitted to E911 Addressing Staff-Rochester/Olmsted County Planning Dept.

A review of the **final plat** has turned up the following **ADDRESS** or **ROADWAY** related issues:

1. Upon review of **BAMBER VALLEY ESTATES** the GIS / Addressing staff has found no issues to bring forth at this time.

3A



ROCHESTER PARK AND RECREATION DEPARTMENT
201 FOURTH STREET SE
ROCHESTER MINNESOTA 55904-3769
TELE 507-281-6160
FAX 507-281-6165

MEMORANDUM

DATE: January 22, 2003
TO: Jennifer Garness
Planning
RE: Preliminary Plat # 03-01
Bamber Valley Estates

Acreage of plat.....	35 acres
Number of dwelling units.....	56 units
Density factor.....	.0244
Dedication	1.37 acres
Fair market value of land.....	na

The Park and Recreation Department recommends that dedication requirements be met via: Deferred land dedication with dedication to occur with the future dedication of the 3.0 acre park shown on the revised Bamber Valley Estates GDP. Dedication of land to occur when the park site is accessed via public street or when the City wishes to begin development of the park.



The hand to reach for...
DAVID A. KAPLER
Fire Chief

DATE: September 19, 2003

TO: Jennifer Garness, Planning

FROM: R. Vance Swisher, Fire Protection Specialist

SUBJ: Final Plat 03-01 by Bamber Valley Development to be known as Bamber Valley Estates.

With regard to the above noted project plan, the fire department has the following requirements:

1. An adequate water supply shall be provided for fire protection including hydrants properly located and installed in accordance with the specifications of the Water Division. Hydrants shall be in place prior to commencing building construction.
 2. Streets and roadways shall be as provided in accordance with the fire code, RCO 31 and the Zoning Ordinance and Land Development Manual. Emergency vehicle access roadways shall be serviceable prior to and during building construction.
 - a) Streets less than 36 feet in width shall be posted "No Parking" on one side of the street. Streets less than 28 feet in width shall be posed "No Parking" on both sides of the street.
 - b) Cul-de-sacs less than 96 feet in diameter shall be posted "No Parking".
 3. All street, directional and fire lane signs must be in place prior to occupancy of any buildings.
 4. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.
- c: Donn Richardson, RPU, Water Division
Mark Baker, Rochester Public Works
Bamber Valley Development
McGhie & Betts, Inc

